

## Notice of Allowability

Application No.

09/870,235

Examiner

CUONG H. NGUYEN

Applicant(s)

DIAZ, MELVIN

Art Unit

3661

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the election received on 8/22/2006.
2. ☒ The allowed claim(s) is/are 8-25; they are renumbered as claims 1-18. Formal drawings are accepted.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

CUONG H. NGUYEN  
Primary Examiner  
Art Unit: 3661

### **DETAILED ACTION**

1. This Office Action is the answer to the amendment filed on 8/18/2006.

#### **Status of the claims**

2. Claims 8-25 are currently pending.

#### ***Drawings***

3. Six sheets of formal drawings filed on 12/12/2005 were acceptable by the examiner.

#### ***Allowable Subject Matter & Reasons for Allowance***

4. Independent claims 8, and 18 are not obvious over a closest reference of Von Alten (US Pat. 6,873,840), because he does not anticipate nor fairly and reasonably teach a system, and a method for managing a fleet of rental vehicles by electronically exchanging information remotely, besides other limitations, comprising:

- returning a rental vehicle by confirming the usage of gas, and paying the usage of the rental vehicle (*"current fuel level on vehicle, other vehicle diagnostics information such as fluid levels of brake oil, engine oil, transmission oil, and coolant, (4) payment information including credit card number, authorization information, expiration date, and (5) other information as needed by the rental car facility or as requested by the customer such as destination address, today's plan, special POI (point of interest... and payment transactions are conducted automatically based on the stored information in the navigation system"*).

Von Alten suggests about sending data relating to the usage of the rental vehicle to a rental facility computer for calculating a rental fee; but does not disclose about transmitting a confirmation of data relating to above usage of the rental vehicle.

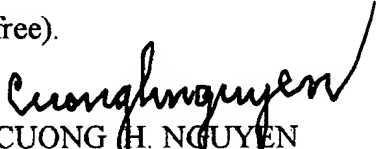
5. Claims 9-17, and 19-25 are allowed because they are dependent on claims 8, and 18.

*Conclusion*

6. Claims 8-25 are patentable. They are renumbered as claims 1-18.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661